

CAUSE NO. 2018-59629

JETALL COMPANIES, INC.,
Plaintiff,

VS.

MIKE JOHANSON AND T. MICHAEL
BALLASES,
Defendants.

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

333rd JUDICIAL DISTRICT**FINAL JUDGMENT**

On February 8, 2019, the Court granted two motions to dismiss pursuant to the TCPA, filed on behalf of Defendants, Mike Johanson and Michael Ballases. The Court's February 8th orders dismissed plaintiff's claims against Defendants with prejudice. The Court incorporates those orders by reference.

On April 8, 2019, the Court considered two motions for relief pursuant to sections 27.005(b) and 27.009(a) of the TCPA, filed by Defendants. After considering the motions, the attachments to the motions, Plaintiff's response, arguments of counsel, and the Court's file, the GRANTS the motions.

The Court ORDERS: (1) pursuant to Section 27.009(a)(1) of the TCPA, Plaintiff, Jetall Companies, Inc., is liable to and shall pay to Mike Johanson \$27,916.20 in reasonable attorneys' fees and expenses; and (2) pursuant to Section 27.009(a)(2) of the TCPA, Plaintiff, Jetall Companies, Inc., shall pay to Mike Johanson \$55,832.40 as a sanction, which the Court finds is both sufficient and necessary to deter Plaintiff, Jetall Companies, Inc., from bringing similar actions.

FILED
Marilyn Burgess
District Clerk

APR 10 2019

Time: _____
Harris County, TexasBy: _____
Deputy Clerk**Exhibit E-5**

1

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging**EXHIBIT AA-5****EXHIBIT 5**P3
ATPEX
SANCY
BB

NCA

The Court further ORDERS that, in the event of an unsuccessful appeal of this Judgment, then Plaintiff, Jetall Companies, Inc., shall be liable to Mike Johanson for additional reasonable attorneys' fees in the following amounts for the following stages of appeal: (1) \$22,500.00 for briefing in the court of appeals; (2) \$7,500.00 for oral argument, if any, in the court of appeals; (3) \$9,000.00 for a response to a motion for rehearing in the court of appeals; (4) \$9,000.00 for a response to a petition for review; (5) \$12,000.00 for a responsive brief on the merits if briefing is ordered; (6) \$6,000.00 for oral argument, if any, in the Supreme Court; and (7) \$9,000.00 for a response to a motion for rehearing in the Supreme Court.

The Court further ORDERS: (1) pursuant to Section 27.009(a)(1) of the TCPA, Plaintiff, Jetall Companies, Inc., is liable to and shall pay to T. Michael Ballases \$33,460.10 in reasonable attorneys' fees; and (2) pursuant to Section 27.009(a)(2) of the TCPA, Plaintiff, Jetall Companies, Inc., shall pay to T. Michael Ballases \$66,920.20 as a sanction, which the Court finds is both sufficient and necessary to deter Plaintiff, Jetall Companies, Inc., from bringing similar actions.

The Court further ORDERS that, in the event of an unsuccessful appeal of this Judgment, then Plaintiff, Jetall Companies, Inc., shall be liable to T. Michael Ballases for additional reasonable attorneys' fees in the following amounts for the following stages of appeal: (1) \$22,800.00 for briefing in the court of appeals; (2) \$7,600.00 for oral argument, if any, in the court of appeals; (3) \$11,400.00 for a response to a motion for hearing in the court of appeals; (4) \$11,400.00 for a response to a petition for review; (5) \$15,200.00 for a responsive brief on the merits if briefing is ordered; (6) \$7,600.00 for oral argument, if

any, in the Supreme Court; and (7) \$11,400.00 for a response to a motion for rehearing in the Supreme Court.

The Court further ORDERS that Defendants, Mike Johanson and T. Michael Balllases, shall have all appropriate and necessary writs, executions and process, as many and as often as are necessary, for enforcement and collection of this Judgment.

By the incorporation of the Court's prior interlocutory orders into this Final Judgment, this constitutes a final, appealable judgment, which disposes of all parties and all claims.

All relief not expressly granted in this judgment is denied.

SIGNED April 10, 2019.


HON. DARYL L. MOORE